City of Austin WWTP IN0025135 (Scott County)

Receiving water: Hutto Creek

Final Modification April 30, 2009

Final permit: September 1, 2010 (effective date)

11.	Does the fact sheet or permit indicate that any limits are less stringent than those in the previous permit or that the discharge rate will be higher than under the previous permit?	No	*
11a.	Have parameters been added that are not present in the currently effective permit?	No	
11b.	If yes to 11 or 11a, does the fact sheet adequately explain how the change is justified under the State's antidegradation policy? Contact the AD specialist or refer to the separate sheet on the antidegradation matrix.		
12.	Is the source a new discharger (*see:* § 122.2 definition)? If yes, will issuance of the permit conform to § 122.4(i)?	No	

* Previous permit (2003) facility flow was 1.0 MGD with mass limits based on average design flow. This 2010 permit is for an increased facility flow capacity of 2.0 MGD, with limits based on average design flow. Secondary treatment limits for loadings are, therefore, higher in conjunction with volume of flow. Concentration limits are identical 2006 to 2009 & 2011 permits.

	2006 permit limits Loading Limits (Monthly average)	2009 (April 30) Modification Loading limits (Monthly, weekly average)	2011 permit limits Loading Limits (Monthly average)
CBOD	83.5 mg/L	167mg/L, 250 mg/L	167 mg/L
TSS	83.5 mg/L	167mg/L, 250 mg/L	167 mg/L
Ammonia- nitrogen Summer, Winter	10.8, 15.8 lbs/day	(S)21.7, 31.7 lbs/day (W)31.7, 48.4 lbs/day	(S)21.7, 31.7 lbs/day (W)31.7, 48.4 lbs/day

Final modification April 30, 2009 permit, page7-8 of the permit fact sheet contains responses to ELPC's request for antidegradation analysis / justification for increased loadings of CBOD, TSS & ammonia-nitrogen. IDEM states that their review found that, per their phosphorus rules at 327 IAC 5-10-2 & 327 IAC 5-10-4 these anti deg rules do not apply to this discharger. Furthermore, in response to compliance with narrative standards, IDEM states narrative criteria do not apply to these discharges.

327 IAC 5-10-2 **Phosphorus removal**

"Sec 2. (a) Phosphorus removal or control facilities shall be required for a point source discharge where:
(1)(A) the daily discharge, as a monthly average, contains ten (10) pounds or more total phosphorus (calculated as elemental phosphorus – P); and
(B)(i) the discharge is located within the Lake Michigan or Lake Erie Basins; or

(ii) the discharge directly enters a lake or reservoir or enters a tributary within forty (40) miles upstream if a lake or reservoir; or
(2) the commissioner determines, irrespective of the quantitative total phosphorus content of the discharge, that phosphorus reduction is needed to protect downstream water uses or to insure that water quality standards applicable to the affected waters of the state are met."

And, "2(d) Notwithstanding subsection (b) or (c), a point source shall achieve the degree of phosphorus reduction necessary to comply with an applicable water quality standard for phosphorus."

Antidegradation analysis was conducted using the prior rule 327 IAC 2-1-2, since the issuance of this permit modification IAC antidegradation rules have been revised and this 327 IAC 2-1-2 was repealed. Rule revisions added 327 IAC 2-1.3 and amends 327 IAC 2-1.5-6, 327 IAC 2-1.5-18, 327 IAC 5-2-11.2, 327 IAC 5-2-12.1, 327 IAC 5-3-8, 327 IAC 5-10-2(a)(2) and 327 IAC 15-2-6 , concerning antidegradation standards and implementation procedures.

327 IAC 2-1-2 read as follows:
"327 IAC 2-1-2 Maintenance of surface water quality standards
Sec. 2. The following policies of non-degradation are applicable to all surface waters of the state:
1. For all waters of the state, existing beneficial uses shall be maintained and protected. No degradation of water quality shall be permitted which would interfere with or become injurious to existing and potential uses.
2. All waters whose existing quality exceeds the standards established herein as of February 17, 1977, shall be maintained in their present high quality unless and until it is affirmatively demonstrated to the commissioner that limited degradation of such waters is justifiable on the basis of necessary economic or social factors and will not interfere with or become injurious to any beneficial uses made of, or presently possible, in such waters. In making a final determination under this subdivision, the commissioner shall give appropriate consideration to public participation and intergovernmental coordination."

An April 15, 2009 letter from the Mayor of Austin to IDEM, included a 2 page description/ justification of the project to expand the WWTP capacity from 1 MGD to 2 MGD. The capacity expansion was planned in order to accept more sewage into the treatment system, by eliminating SSOs, thereby reducing discharges of raw sewage into the receiving waters, increasing water quality and reducing public health risks. The justification also had reviewed the alternative of eliminating I/I within the transport system, which was determined would triple sewer rates over the cost of plant expansion. No analysis was conducted regarding phosphorus removal technologies.

IDEM issued the permit modification on April 30, 2009.